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## Fax

Attention: Examiner Theodore J. Stigell  
Company: United States Patent and Trademark Office  
Fax number: (703) 872-9306  
From: Robert E. West  
Date: July 11, 2005

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|---------------|---|-------------------|----------------------|
| Applicant(s): | M. Ishaq Haider, et al.                                 | Atty. Docket No.: | P-5369A              |
| Serial No.:   | 10/649,134  | Group Art Unit:   | 3763                 |
| Filed:        | August 27, 2003   | Examiner:         | Stigell, Theodore J. |
| For:          | Substance Delivery Via A Rotating Microabrading Surface |                   |                      |

The following documents are attached to this facsimile:

1. Response to Restriction Requirement mailed June 15, 2005 -- 3 pages; and
2. Certificate of Transmission By Facsimile -- 1 page.

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PATENT

Docket No. P-5369A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: M. Ishaq Haider, et al      Conf # : 4779  
Serial No.: 10/649,134      Art Unit: 3763  
Filing Date: August 27, 2003      Examiner: STIGELL, Theodore J.  
For: Substance Delivery Via A Rotating Microabrading Surface


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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RESPONSE TO RESTRICTION REQUIREMENT

This document is being filed in response to the Office Action mailed June 15, 2005 in connection with the above-referenced application, which had a one-month period for response, which ends July 15, 2005. Thus, this response is timely filed.

The Examiner asserts that the application define three separate Species, identified as Species A (Figure 1), Species B (Figures 7-10), and Species C (Figures 11-15). The Examiner has stated Claims 23 and 26 are generic.

**Provisional Election and Traversal**

The Examiner has requested an election to species of the subject matter specified in fifteen figures. The alleged Species are as follows: Species A (Figure 1), Species B (Figures 7-10), and Species C (Figures 11-15), upon which the following groups of claims are readable:

Claims 1-11 are a method of use are readable on alleged Species B and C.

Claims 12-22 are readable on alleged Species B.

Claim 23 is a generic method of use and are readable on alleged Species A, B and C

Claim 24 is a method of use and are readable on alleged Species A.

Claim 25-26 are a method of use and are readable on alleged Species B and C.

Applicants respectfully traverse the restriction requirement with respect to Species A through C. Claims 23 and 26 are generic and cover all of the disclosed embodiments exemplified in each of the alleged Species A-C. Although not specifically shown in Fig 1, it is understood from the specification that the apparatus of Fig. 1 contains at least one protrusion or alternatively microprotrusions, as exemplified by Fig. 2-5, which are included and preferably inserted into the devices of Species B and C. Therefore, each of the embodiments in Species B and C includes "protrusions," specifically the protrusions of Species A.

In view of the foregoing, Applicants respectfully request the Examiner withdraw the restriction requirement with respect to Species A, B and C, and examine all Claims 1-26. Applicants also reserve the right to further define the invention with respect to the claims of non-elected claims, or file divisional applications directed to the non-elected claims and/or species.

Election

Should the examiner maintain the grounds for restriction, or propose an alternative ground, the Applicants elect Claims 1-11, 23 and 25-26 as embodied in Species B and C with traverse, reserving the right to amend and resubmit the Claims readable on Species A and B only for rejoinder under MPEP 821.04 should a generic claim become allowable. Applicants also reserve the right to further define the invention, or file divisional applications directed to the non-elected groups and/or species.

Applicants believe no fees are due in connection with filing this response. However, if any fees are due the Assistant Commissioner is hereby authorized to charge them to Deposit Account No. 02-1666.

Respectfully submitted,

Dated: July 8, 2005

By: 

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